

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants - Prohibition and Excise Department - Allegations of corruption against Sri E.S.S. Kumar, Prohibition and Excise Inspector - Trapped while working on deputation as Excise Supervisory Officer in APBCL, Visakhapatnam on 29.9.1998 - TDP Enquiry - Dismissed from Service - APAT & High Court orders - Reinstated into service - Regularisation of suspension period - Orders - Issued.

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REVENUE (VIGILANCE-V) DEPARTMENT

G.O.Rt.No.
2008.

Dated:14-10-

Read the following:-

1. Commr. P&E, AP, Hyd. Procs. Cr.No. 31/98/C.PE/SR, Dt: 3.11.1998.
2. Commr. P&E, AP, Hyd. Procs. Cr.No. 31/98/C.PE/SR, Dt: 20.10.2000.
3. G.O.Ms.No.249, Revenue (Vig. V) Department, Dated 10.3.2004.
4. Judgment dated 29.12.2006 in OA.No. 1934/2006 filed by Sri E.S.S.Kumar.
5. Judgment dated 20.7.2007 in W.P.No. 15442/2007 filed by the Government.
6. From Sri E.S.S. Kumar, P&E Inspector, representation dated 30.7.2007.
7. G.O.Ms.No.1209, Revenue (Vig.V) Department, Dt: 13 -9-2007.
8. From Sri E.S.S. Kumar, P&E Inspector, representation dated 3.12.2007.

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ORDER:-

In the reference 1st read above, Sri E.S.S. Kumar, P&E Inspector has been placed under suspension on the allegation of corruption while he was working on deputation as Excise Supervisory Officer in APPBCL, Visakhapatnam when he demanded and accepted bribe through an Accountant of A.P.Beverages Corporation Limited on 29.9.1998 for doing official favour. Based on the orders of APAT dated 31.12.1998 in OA.No. 8419/98, the individual has been reinstated into service vide reference 2nd read above. The Tribunal for Disciplinary Proceedings furnished the enquiry report in TEC No.4/2001 finding the Charged Officer Sri E.S.S. Kumar guilty. Government, after examination of the matter, have dismissed Sri E.S.S. Kumar, Prohibition & Excise Inspector from service vide reference 3rd read above.

2. Aggrieved by the said orders, Sri E.S.S. Kumar has filed OA.No. 1934/2006 before the A.P. Administrative Tribunal and the A.P. Administrative Tribunal has set-aside the dismissal orders in the reference 4th read above. Government have filed W.P.No. 15442/2007 before the High Court of A.P against the orders of

Tribunal. The High Court of A.P in its judgment dated 20.7.2007, in W.P.No. 15442/2007 has dismissed the W.P and upheld the orders of Tribunal. Govt. after examination of the matter, have reinstated the individual into service vide reference 7th read above.

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3. In the reference 8th read above, Sri E.S.S. Kumar, P&E Inspector has submitted representation and requested to regularize the suspension period from 12.11.1998 to 30.10.2000 and also dismissal period from 10.3.2004 to 22.10.2007 as duty for payment of pay and allowances etc.,

4. Government after examination of the matter, keeping in view the directions of A.P. Administrative Tribunal and High Court of A.P in the case and the representation of individual thereon, hereby treat the period of suspension from 12.11.1998 to 30.10.2000 and the dismissal period from 10.3.2004 to 22.10.2007 as duty as per FR 54-A (3), in respect of Sri E.S.S. Kumar, P&E inspector.

5. The Commissioner of Prohibition and Excise, Hyderabad shall take further necessary action in the matter.

6. This orders issues with the concurrence of Finance (FR.II) Department vide their U.O.U.O.No. 22665/475/FR.II/08, Dated 23.8.2008.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA
PRADESH)

G. SUDHIR
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri E.S.S. Kumar, Prohibition & Excise Inspector
through the Commissioner, Prohibition & Excise, A.P., Hyderabad
The Commissioner, Prohibition & Excise, A.P., Hyderabad
Copy to:
The Finance (FR.II) Department
The Revenue (Excise I) Department.
SF/SC.

// Forwarded:: By Order //

SECTION OFFICER.